

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

-----X
In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD
FOR PUERTO RICO,

PROMESA
Title III

as representative of

Case No. 17-BK-3283 (LTS)
(Jointly Administered)

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹
-----X

ORDER ALLOWING OMNIBUS MOTION TO SUBSTITUTE THE AVOIDANCE ACTIONS TRUSTEE AS PLAINTIFF IN ADVERSARY PROCEEDINGS TRANSFERRED TO THE AVOIDANCE ACTIONS TRUST

This matter is before the Court on the *Omnibus Motion by the Avoidance Actions Trustee, Special Claims Committee, and Committee to Substitute the Avoidance Actions Trustee as Plaintiff in Adversary Proceedings Transferred to the Avoidance Actions Trust* (Dkt. No. 20548 in Case No. 17-3283) (the “Omnibus Motion”) filed jointly by Drivetrain, LLC (the “Avoidance Actions Trustee”), the Special Claims Committee of the Financial Oversight and Management Board for

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Puerto Rico, and the Official Committee of Unsecured Creditors of the Commonwealth of Puerto Rico. Duplicate motions requesting identical relief were also filed in each adversary proceeding identified in the attached Appendix (together with the Omnibus Motion, the “Substitution Motions”). Taking note of the lack of objection,² and finding good cause for the requested relief, the Court hereby **ALLOWS** the Substitution Motions as follows:

1. The Avoidance Actions Trustee is substituted as the plaintiff in the adversary proceedings identified in the attached Appendix (collectively, the “AAT Avoidance Actions”).
2. The captions of all further filings in the AAT Avoidance Actions shall identify the Avoidance Actions Trustee as the plaintiff and omit reference to the Special Claims Committee of the Financial Oversight and Management Board for Puerto Rico and the Official Committee of Unsecured Creditors of the Commonwealth of Puerto Rico as plaintiffs.
3. The Special Claims Committee of the Financial Oversight and Management Board for Puerto Rico and the Official Committee of Unsecured Creditors of the Commonwealth of Puerto Rico are no longer parties in this adversary proceeding, and their counsel shall be discharged of further responsibility in this adversary proceeding and their appearances deemed withdrawn.

² See *Certificate of No Objection Regarding the Omnibus Motion by the Avoidance Actions Trustee, Special Claims Committee, and Committee to Substitute the Avoidance Actions Trustee as Plaintiff in Adversary Proceedings Transferred to the Avoidance Actions Trust* (Dkt. No. 20719 in Case No. 17-3283).

This Order resolves Dkt. No. 20548 in Case No. 17-3283; Dkt. No. 18 in Adv. Proc. No. 19-00042; Dkt. No. 20 in Adv. Proc. No. 19-00043; Dkt. No. 58 in Adv. Proc. No. 19-00044; Dkt. No. 20 in Adv. Proc. No. 19-00048; Dkt. No. 22 in Adv. Proc. No. 19-00049; Dkt. No. 29 in Adv. Proc. No. 19-00051; Dkt. No. 34 in Adv. Proc. No. 19-00053; Dkt. No. 22 in Adv. Proc. No. 19-00054; Dkt. No. 28 in Adv. Proc. No. 19-00055; Dkt. No. 20 in Adv. Proc. No. 19-00056; Dkt. No. 30 in Adv. Proc. No. 19-00060; Dkt. No. 22 in Adv. Proc. No. 19-00062; Dkt. No. 20 in Adv. Proc. No. 19-00063; Dkt. No. 19 in Adv. Proc. No. 19-00068; Dkt. No. 19 in Adv. Proc. No. 19-00075; Dkt. No. 21 in Adv. Proc. No. 19-00088; Dkt. No. 21 in Adv. Proc. No. 19-00092; Dkt. No. 29 in Adv. Proc. No. 19-00093; Dkt. No. 27 in Adv. Proc. No. 19-00098; Dkt. No. 19 in Adv. Proc. No. 19-00102; Dkt. No. 21 in Adv. Proc. No. 19-00114; Dkt. No. 25 in Adv. Proc. No. 19-00122; Dkt. No. 23 in Adv. Proc. No. 19-00127; Dkt. No. 42 in Adv. Proc. No. 19-00129; Dkt. No. 21 in Adv. Proc. No. 19-00130; Dkt. No. 20 in Adv. Proc. No. 19-00134; Dkt. No. 22 in Adv. Proc. No. 19-00143; Dkt. No. 20 in Adv. Proc. No. 19-00145; Dkt. No. 20 in Adv. Proc. No. 19-00150; Dkt. No. 25 in Adv. Proc. No. 19-00152; Dkt. No. 20 in Adv. Proc. No. 19-00155; Dkt. No. 27 in Adv. Proc. No. 19-00160; Dkt. No. 27 in Adv. Proc. No. 19-00161; Dkt. No. 20 in Adv. Proc. No. 19-00162; Dkt. No. 19 in Adv. Proc. No. 19-00183; Dkt. No. 21 in Adv. Proc. No. 19-00186; Dkt. No. 35 in Adv. Proc. No. 19-00187; Dkt. No. 19 in Adv. Proc. No. 19-00188; Dkt. No. 19 in Adv. Proc. No. 19-00196; Dkt. No. 25 in Adv. Proc. No. 19-00200; Dkt. No. 41 in Adv. Proc. No. 19-00202; Dkt. No. 24 in Adv. Proc. No. 19-00218; Dkt. No. 19 in Adv. Proc. No. 19-00220; Dkt. No. 24 in Adv. Proc. No. 19-00222; Dkt. No. 38 in Adv. Proc. No. 19-00227; Dkt. No. 29 in Adv. Proc. No. 19-00229; Dkt. No. 25 in Adv. Proc. No. 19-00232; Dkt. No. 19 in Adv. Proc. No. 19-00235; Dkt. No. 21 in Adv. Proc. No. 19-00236; Dkt. No. 18 in Adv. Proc. No. 19-00239; Dkt. No. 32 in Adv. Proc.

No. 19-00249; Dkt. No. 27 in Adv. Proc. No. 19-00253; Dkt. No. 21 in Adv. Proc. No. 19-00255; Dkt. No. 18 in Adv. Proc. No. 19-00265; Dkt. No. 19 in Adv. Proc. No. 19-00266; Dkt. No. 37 in Adv. Proc. No. 19-00268; Dkt. No. 19 in Adv. Proc. No. 19-00273; Dkt. No. 24 in Adv. Proc. No. 19-00276; and Dkt. No. 17 in Adv. Proc. No. 19-00440.

SO ORDERED.

/s/ Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge

DATED: May 11, 2022